

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Edward Barber,  
Petitioner

v.

Brian William, et al.,  
Respondents

2:16-cv-01234-JAD-VCF

**Order Denying Motion to Proceed *in forma pauperis* and Dismissing Case  
without Prejudice**

[ECF No. 1]

On May 31, 2016, Edward Barber filed an application to proceed *in forma pauperis*, but he has not submitted an accompanying habeas petition.<sup>1</sup> Barber's IFP application shows that he is able to pay the \$5 filing fee for a habeas action, so I deny his application for pauper status. And because Barber has not filed a habeas petition or any other initiating document in this case, I dismiss this case without prejudice. Barber is instructed that if he wishes to file a habeas petition in this court, he must initiate a new action, use the approved form for use by a pro se petitioner, and pay the \$5 filing fee in full. If Barber is unable to pay the full filing fee, he must submit a new application to proceed *in forma pauperis* that demonstrates his inability to do so.

**Conclusion**

Accordingly, IT IS HEREBY ORDERED that **Barber's application to proceed *in forma pauperis* [ECF No. 1] is DENIED, and this action is DISMISSED without prejudice.**

The Clerk of Court is directed to enter judgment accordingly and CLOSE THIS CASE.

Dated this 10th day of June, 2016.

  
\_\_\_\_\_  
Jennifer A. Dorsey  
United States District Judge

<sup>1</sup> ECF No. 1.